

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiffs,                 )  
                                ) 4:07CR3054  
v.                            )  
                                )  
FEDERICO BALLI and         )  
DEBORAH V. VASQUEZ,         ) MEMORANDUM AND ORDER  
                                )  
Defendants.                 )  
                                )

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A conference pursuant to Rule 17.1 of the Federal Rules of Criminal Procedure was held with counsel this date by telephone conference call. The court was advised that defendant Balli has been critically injured in a traffic accident June 5, 2007 and is now in a rehabilitation hospital where he is likely to remain for up to four months. He is thus physically unable to attend trial. Defendant Balli's counsel will obtain verification documents and provide them to the court. All counsel agreed that there is no reason at this point to proceed to trial with only co-defendant Vasquez, and suggested that the matter be reviewed again in sixty days, once defendant Balli's condition and prognosis is better known.

IT THEREFORE HEREBY IS ORDERED:

1. This case is exempted from the time constraints of the Speedy Trial Act, 18 U.S.C. 3161(h)(4), for the reason that the defendant Balli is physically unable to attend trial. Because of his condition, the provisions of Section 3161(h)(7) apply with respect to defendant Vasquez.
2. A telephone conference with counsel will be held August 28, 2007 at 2:00 p.m. Central Time for the purpose of further reviewing the case and perhaps setting a trial date.

DATED this 21<sup>st</sup> day of June, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge